

Multiple Agency Fiscal Note Summary

Bill Number: 2164 HB	Title: Juvenile firearm offenders
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Estimated Cash Receipts

NONE

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.1	22,000	22,000	.2	44,000	44,000	.2	44,000	44,000
Total	0.1	\$22,000	\$22,000	0.2	\$44,000	\$44,000	0.2	\$44,000	\$44,000

Local Gov. Courts *									
Loc School dist-SPI									
Local Gov. Other **	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Impact

NONE

Prepared by: Peter Graham, OFM	Phone: (360) 902-0582	Date Published: Final 1/16/2014
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 35937

Judicial Impact Fiscal Note

Bill Number: 2164 HB	Title: Juvenile firearm offenders	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2014	FY 2015	2013-15	2015-17	2017-19
Counties					
Cities					
Total \$					

Estimated Expenditures from:

COUNTY	FY 2014	FY 2015	2013-15	2015-17	2017-19
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2014	FY 2015	2013-15	2015-17	2017-19
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$					

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/07/2014
Agency Preparation: David Elliott	Phone: 360-705-5229	Date: 01/15/2014
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 01/15/2014
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 01/15/2014

Request # juvenile-2

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would change the elements of sentencing for juvenile firearm offenders.

Sections with potential court impact:

Section 1 would amend RCW 13.40.193 to require a juvenile offender found in possession of a firearm to attend an aggression replacement training, functional family therapy, or other program applicable to juvenile firearm offenders, that has been identified as evidence-based or research-based and cost-beneficial. This is applied regardless of a finding of manifest injustice.

Section 2 would amend RCW 13.40.127 to require attendance of an aggression replacement training, functional family therapy, or other program applicable to juvenile firearm offenders, that has been identified as evidence-based or research-based and cost-beneficial, when a juvenile is granted a deferral of disposition for unlawful possession of a firearm.

There are not expected to be impacts on court time beyond the inclusion of a requirement to attend an evidence-based or research-based practice at the time of disposition for charges of possession of a firearm or deferred disposition for possession of a firearm.

II. B - Cash Receipts Impact

none

II. C - Expenditures

There would be an expected one-time expenditure of approximately 30 hours of Administrative Office of the Court staff time to update training manuals, create a new docket code, create a new disposition code and up to three new condition codes in the Juvenile and Corrections System and to update existing forms. This is expected to cost less than \$3,000.

For informational purposes, it is estimated that this change would affect an estimated 101 cases per year based on data for dispositions in 2012 and 2013.

In 2012 there were 83 guilty dispositions and 20 deferred dispositions for a total of 103.

In 2013 there were 78 guilty dispositions and 22 deferred dispositions for a total of 100.

SOURCES:

Judicial information system sizing.

Juvenile and Corrections System charging data.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$					

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 2164 HB	Title: Juvenile firearm offenders	Agency: 101-Caseload Forecast Council
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Part I: Estimates

☒ **No Fiscal Impact**

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/07/2014
Agency Preparation: Ed Vukich	Phone: 360-664-9374	Date: 01/09/2014
Agency Approval: John Steiger	Phone: 360-664-9370	Date: 01/09/2014
OFM Review: Kathy Cody	Phone: (360) 902-9822	Date: 01/09/2014

Request # 14-001-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

See the attachment.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

See the attachment.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

HB 2164

EVIDENCE-BASED AND RESEARCH-BASED INTERVENTIONS FOR JUVENILE FIREARM OFFENDERS

**101 – Caseload Forecast Council
January 9, 2014**

SUMMARY

A brief description of what the measure does that has fiscal impact.

- Section 1 requires that juvenile dispositions for unlawful possession of a firearm include a requirement to participate in a qualifying program if one is available.
- Section 1 additionally allows the court to order participation in a qualifying program in a juvenile disposition for unlawful possession of a firearm if the juvenile has previously completed a qualifying program, but does not mandate that the court do so.
- Section 1 additionally defines qualifying program.
- Section 1 additionally specifies that the qualifying program participation requirement shall apply to all juvenile dispositions for unlawful possession of a firearm.
- Section 2 requires that deferred juvenile dispositions for unlawful possession of a firearm include a requirement to participate in a qualifying program if one is available.
- Section 2 additionally allows the court to order participation in a qualifying program in a deferred juvenile disposition for unlawful possession of a firearm if the juvenile has previously completed a qualifying program, but does not mandate that the court do so.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact on local detention and Juvenile Rehabilitation Administration beds.

None.

This bill does not impact local detention or Juvenile Rehabilitation Administration beds. However, according to Caseload Forecast Council juvenile disposition data, in Fiscal Year 2013 there were 111 adjudications for unlawful possession of a firearm, encompassing 103 dispositions and 100 individuals. Of the 103 dispositions, 66 were local sanctions while 37 were JRA commitments (either on their own or in conjunction with other offenses).

JRA/County	Dispositions	
	Number	Percentage
JRA	37	35.9%
Adams	0	0.0%
Asotin	1	1.0%
Benton	2	1.9%
Chelan	6	5.8%
Clallam	0	0.0%
Clark	0	0.0%
Columbia	0	0.0%
Cowlitz	0	0.0%
Douglas	0	0.0%
Ferry	0	0.0%
Franklin	2	1.9%
Garfield	0	0.0%
Grant	4	3.9%
Grays Harbor	0	0.0%
Island	0	0.0%
Jefferson	0	0.0%
King	14	13.6%
Kitsap	2	1.9%
Kittitas	1	1.0%
Klickitat	0	0.0%
Lewis	0	0.0%
Lincoln	0	0.0%
Mason	0	0.0%
Okanogan	2	1.9%
Pacific	0	0.0%
Pend Oreille	0	0.0%
Pierce	9	8.7%
San Juan	0	0.0%
Skagit	1	1.0%
Skamania	0	0.0%
Snohomish	1	1.0%
Spokane	2	1.9%
Stevens	1	1.0%
Thurston	2	1.9%
Wahkiakum	0	0.0%
Walla Walla	3	2.9%
Whatcom	1	1.0%
Whitman	0	0.0%
Yakima	12	11.7%
Total	103	100.0%

Individual State Agency Fiscal Note

Bill Number: 2164 HB	Title: Juvenile firearm offenders	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.0	0.2	0.1	0.2	0.2
Account					
General Fund-State 001-1	0	22,000	22,000	44,000	44,000
Total \$	0	22,000	22,000	44,000	44,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/07/2014
Agency Preparation: Mickie Coates	Phone: 360-902-8077	Date: 01/10/2014
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 01/10/2014
OFM Review: Peter Graham	Phone: (360) 902-0582	Date: 01/13/2014

Request # 14HB2164.1-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Juveniles found to have been in possession of a firearm in violation of RCW 9.41.040 are required to participate in a “qualifying program.” Qualifying programs are defined as aggression replacement training programs, functional family therapy programs, or other programs applicable to the juvenile firearm offender population. Programs must have been identified as evidence-based or research-based and cost-beneficial by the Washington State Institute for Public Policy.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Youth in Juvenile Rehabilitation (JR) facilities currently participate in a number of evidence-based programs. It is unknown how many of the youth committed due to a violation of RCW 9.41.040 would need services beyond those currently received. However, in calendar year 2013, 25 youth were committed to JR facilities due to firearm violations. Fourteen of these youth were in violation of RCW 9.41.040 and would be required to participate in a qualifying program under passage of this legislation.

Based on calendar year 2013 commitments, it is estimated that 14 youth per year will be required to participate in a qualifying program under passage of this legislation. Assuming this represents new services for these 14 youth, the total fiscal impact of this legislation is estimated at \$22,000 and 0.2 FTE per year.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years		0.2	0.1	0.2	0.2
A-Salaries and Wages		9,000	9,000	18,000	18,000
B-Employee Benefits		12,000	12,000	24,000	24,000
C-Professional Service Contracts					
E-Goods and Other Services		1,000	1,000	2,000	2,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$0	\$22,000	\$22,000	\$44,000	\$44,000

Request # 14HB2164.1-1

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2014	FY 2015	2013-15	2015-17	2017-19
Juvenile Rehabilitation Resident			0.2	0.1	0.2	0.2
Counselor						
Total FTE's			0.2	0.1	0.2	0.2

III. C - Expenditures By Program (optional)

Program	FY 2014	FY 2015	2013-15	2015-17	2017-19
Juvenile Rehabilitation (020)		22,000	22,000	44,000	44,000
Total \$		22,000	22,000	44,000	44,000

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 2164 HB	Title: Juvenile firearm offenders
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: County juvenile courts
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Number of additional individuals referred to evidence-based or research-based, cost-beneficial programs.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Indeterminate Impact

Part III: Preparation and Approval

Fiscal Note Analyst: Graham Parrington	Phone: 360-725-2733	Date: 01/15/2014
Leg. Committee Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/07/2014
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 01/15/2014
OFM Review: Peter Graham	Phone: (360) 902-0582	Date: 01/15/2014

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would change the elements of sentencing for juvenile firearm offenders.

Section 1 would amend RCW 13.40.193 to require a juvenile offender found in possession of a firearm in violation of 9.41.040 to attend an aggression replacement training, functional family therapy, or other program applicable to juvenile firearm offenders, that has been identified as evidence-based or research-based and cost-beneficial. This is applied regardless of a finding of manifest injustice.

Section 2 would amend RCW 13.40.127 to require attendance of an aggression replacement training, functional family therapy, or other program applicable to juvenile firearm offenders, that has been identified as evidence-based or research-based and cost-beneficial, when a juvenile is granted a deferral of disposition for unlawful possession of a firearm.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

Expenditure impacts to counties are indeterminate. Juvenile courts already assess and refer individuals to evidence-based programs, and data are not available to estimate any potential increases in referrals to such programs under the provisions of this bill.

DISCUSSION:

According to the Caseload Forecast Council (CFC), there were 66 local-sanction dispositions for unlawful possession of a firearm in FY 2013. Although there is variability among the counties in terms of the availability of cost-effective, research-based, or evidence-based programs listed by WSIPP, 36 of the 39 counties had Aggression Replacement Therapy (ART) available in 2008, and 30 counties had Functional Family Therapy program (FFT), according to WSIPP. According to WSIPP data, every county in the state has at least one cost-effective, research or evidence-based program. Other WSIPP-approved programs that appear to be applicable to unlawful possession of a firearm offenders include Coordination of Services, which was present in five counties in 2008 and costs \$405 per person, and Multisystemic Therapy (MST), which is present in three counties and costs \$7,522 per person.

Currently, the Juvenile Rehabilitation Administration funds assessments and evidence-based programming at the county level through formulaic block grants through Community Juvenile Accountability Act (1997) block grants. Therefore, it is likely that at least some of the youth who would be adjudicated under RCW 9.41.040 already receive assessments and referrals to evidence-based programs. It is possible that this bill would increase the number of individuals to these programs, but data are not available to predict any increase.

For illustration purposes, it is assumed that 19 of 37 dispositions would include an assignment to ART, and 18 of the dispositions would be assigned to FFT. According to WSIPP, ART costs \$1,540 per person, and FFT costs \$3,333 per person. Under this scenario costs would therefore be approximately $(19 \times \$1,540) + (18 \times \$3,333) = \$89,254$ per year.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

None

SOURCES:

Administrative Office of the Courts
Caseload Forecast Council
Department of Social and Health Services
King County Juvenile Court Services
Kitsap County Juvenile and Family Court Services
Washington State Institute for Public Policy